

**ANDAMAN & NICOBAR ADMINISTRATION  
EXCISE DEPARTMENT  
SECRETARIAT**

**EXCISE POLICY**

TERMS AND CONDITIONS FOR THE GRANT OF LICENCES IN FORM "B" AND "C" FOR THE YEAR 2010-2013 (01.04.2010 TO 31.03.2013) FOR THE WHOLESALE AND RETAIL SUPPLY OF INDIAN MADE FOREIGN LIQUOR (IMFL)/ FOREIGN LIQUOR (FL) i.e. BOTTLED IN ORIGIN (BIO) BEER PRODUCTS IN THE UNION TERRITORY OF A&N ISLANDS.

Licenses in Form C for the wholesale/Retail vend of Indian Made Foreign Liquor/ Foreign Liquor (FL) i.e. Bottled in Origin (BIO)/Beer and Form 'B' to the Bars and Restaurants as granted by the Deputy Commissioners in the Union Territory of A&N Islands for the year 2010-2013 (01-04-2010 to 31-03-2013) (hereinafter called the "the licensing year") in accordance with the Andaman Excise Rules- 1934 and Andaman Excise (Amendment) Rules- 1990, A& N Islands Regulation 1876 (Regulation III of 1876) and subsequent amendments to the said A&N Islands Regulation as per the terms and conditions described below: -

**1. LICENCE FEE**

- 1.1 Licence in Form 'C' will be issued to ANIIDCO for wholesale and retail vending of IMFL/FL, Beer for the sanctioned shops on payment of licence fee as under:

Rs. 66/- per 1000 ml bottle	}	For Indian Liquor, Foreign Liquor and Wine with purchase price below Rs. 1,200/- per case.
Rs. 48/- per 750 ml bottle		
Rs. 24/- per 375 ml bottle		
Rs. 12/- per 180ml I bottle		
Rs. 84/- per 1000 ml bottle	}	For Indian Liquor, Foreign Liquor and Wine with purchase price above Rs. 1,200 per case.
Rs. 60/- per 750ml bottle		
Rs. 30/- per 375ml bottle		
Rs. 14/- per 180ml bottle		
Rs. 14/- per bottle of 650ml	}	For Beer and Ready to drink alcoholic beverages
Rs. 7/- per 330ml or below in Can/bottle.		

The revised licence fee shall be applicable on sale of fresh stock to be purchased w.e.f. 1.4.2010.

- 1.2 Licence fee shall be collected on actual basis and will be deposited with the Administration on a monthly basis.



- 1.3 (i) Licence in Form 'B' will be issued to Bars on payment of Rs. 10,000/- as licence fee, payable on annual basis.
- (ii) Separate temporary Licence in Form B will be required for the purpose of specific functions issued by the concerned Deputy Commissioners on payment of licence fee of Rs. 1,000/- per occasion.
- 1.4 Indian and Foreign liquor brands with MRP of above Rs.120/- per 1000 ml bottle, Rs.90/- per 750 ml bottle, Rs.40/- per 375 ml bottle, Rs.25/- per 180 ml bottle shall be allowed to be sold in A & N Islands.

## **2. LICENCING AUTHORITY**

- 2.1 The licencing authority for grant of licence in Form 'A' for import of liquor shall be Deputy Commissioner, South Andaman for wholesale and retail and in case of Defense and Police Canteen it shall be concerned Deputy Commissioner.
- 2.2 The licencing authority for grant of licence in form 'B' is the concerned Deputy Commissioner.
- 2.3 The licencing authority for grant of licence in form 'C' ie. Sanctioned shops of ANIIDCO shall be the Deputy Commissioner concerned subject to approval of the Administrator.

## **3. PROCEDURE TO APPLY**

- 3.1 ANIIDCO shall apply for issue of licence in form 'A' for import of liquor as and when required.
- 3.2 ANIIDCO shall apply for grant of licence in form 'C' to concerned Deputy Commissioner on annual basis. The application shall be signed by the General Manager.
- 3.3 Information as required in the application form shall be furnished with complete details truly and faithfully, so as to enable the smooth processing of application.

## **4. GENERAL CONDITIONS OF LICENCE**

- 4.1 Licence in Form 'C' & "B' for the licensing period shall be interalia subject to the general conditions as contained in Andaman Excise Rules 1934 and subsequent amendment made thereof. The licensee shall abide by the Andaman & Nicobar Regulations,1876(Regulation III of 1876) and subsequent amendments made thereof, the rules framed there under and notifications/orders/instructions issued there under from time to time and any law in force in the Union Territory of Andaman & Nicobar Islands relating to liquor trade.
- 4.2(a) The price structure for IMFL/FL, Beer to be sold in the Union territory of Andaman & Nicobar Islands by the licensee in Form 'C' for



wholesale and retail vend of IMFL/FL, Beer will be fixed by the Andaman & Nicobar Administration.

- (b) The licensee in Form "C" shall keep three months stock in his warehouse of all the brands approved for sale in the Union Territory of A&N Islands so that uninterrupted supply to the retail vends/outlets can be maintained throughout the licensing year. In case, the licensee fails to maintain the required stock, penal action will be initiated as deemed fit by the Secretary (Excise), A&N Administration.
- (c) The licence holder of Form "C" shall work out the retail selling prices as per the price structure approved by the Administration and get it approved by the Administrator as per Rule 7 A of Andaman Excise Rules, 1934.
- (d) All IMFL, FL, Beer brands of all sizes will be sold through retail outlets (Licence in form "C") and Bars (Licence in form "B").
- (e) The licence holder of Form "C" shall be at liberty to import any of the brands approved by the Administration.
- (f) The Licence holder of Form 'C' & 'B' will also be required to install requisite computer hardware and software at the warehouse and sales points as per configuration prescribed by the Excise Department, A&N Administration, from time to time.
- (g) The grant of licence in Form 'C' & 'B' shall be subject to the acceptance of the terms and conditions as a whole.

4.3 (a) other conditions: - Licence Holder in Form 'C':

This licence would be granted:

1. Licence fee collected on actual basis may be deposited with the Administration on a monthly basis. The total sale in terms of bottle will be calculated every month and the corresponding recoveries of licence fee as at Condition 1.1 will be deposited by 15<sup>th</sup> Day of the succeeding month.
2. The licensee shall fix at the entrance of each shop a sign board in English and in Hindi indicating the nature of licence and shall exhibit the rates of liquor to be sold will as per annexure of the licence. Any violation of the price by overt or covert means would invite immediate fine, penalty/cancellation of licence without any notice.
3. The licensee shall also exhibit prominently a notice in English and in Hindi stating, "Consumption of Liquor is injurious to health".



4. The licensee shall not employ any women or minor in shop in any capacity.
5. The licensee shall keep the shop open from 9.00 AM to 12.00 Noon and from 3.00 PM to 8.00 PM from Monday to Saturday and 9.00 AM to 12.00 Noon on Sundays. The timings are subject to variation at the discretion of licencing authority.
6. The licensee shall not at a time sell more than 12 bottles of Beer (650ml) and more than 3 bottles of 1000 ml, 4 bottles of 750 ml, 8 bottles of 375 ml, 16 bottles of 180 ml of IMFL/FL to any person who does not possess a licence in Form "B".
7. The licensee shall observe the following days as "DRY DAYS" and they shall keep the shops closed for business: -
  - a. The last working day of calendar month.
  - b. The 7<sup>th</sup> day of a Calendar month.
  - c. The day of poll and preceding two days in all General elections, Bye Elections to Lok Sabha, Municipal Board election and Panchayat Election and the counting days of the above elections.
  - d. The following special occasions.
    - (i) Martyr's Day
    - (ii) Gandhi Jayanthi
    - (iii) Independence Day
    - (iv) Republic Day
    - (v) Holi
    - (vi) Muharam
    - (vii) Dusshera
    - (viii) Good Friday
  - e. Any other day the Govt. may by notification declare to be a dry day. Any loss to the licensee due to this will not be compensated nor will the Govt. liable to pay any compensation.
8. The licensee shall have to obtain licence in form "A" for import of beer, Wines and other foreign liquor including IMFL on payment of the prescribed fee. The licensee shall not bring any liquor into these Islands without obtaining an import permit and shall not sell any liquor in these Islands without getting its price fixed by the Administrator.
9. The licensee shall furnish to the Deputy Commissioner (South Andaman) and concerned Deputy Commissioners the monthly statements of imports, sale and stock position by 15<sup>th</sup> day of succeeding Calendar month.



10. The licensee shall at all time keep minimum stocks as determined by the licencing authority from time to time.
11. The licensee shall be liable to pay such penalty as may be determined by the licencing authority for violation of any terms and conditions of the contract of sale.
12. The licensee shall not allow any person to consume liquor in the premises of the shop.
13. The licence shall be liable to be revoked by order of the Administrator, Andaman & Nicobar Islands in case of persistent or serious violation of the terms of the contract of sale or violation of law.
14. The licensee will not sell or supply any liquor to or use of:
  - i) Any minor.
  - ii) Any aboriginal Scheduled Tribes of Andaman and Nicobar Islands.
15. The licensee shall sell or supply liquor only in sealed bottles and shall not make any sales on credit.
16. The licensee shall direct his shops to get the stocks verified in every quarter by the authority deputed by the respective Deputy Commissioner.
17. The licensee shall produce his licence and allow his shops to be inspected when required to do so by any Magistrate, Police Officer not below rank of Inspector or any other Government Official deputed by the licencing authority.
18. The licence will be subject to the provisions of Regulation III of 1876 and the Andaman Excise Rules, 1934.

(b) Other Conditions: Licence Holder in Form 'B':

1. That the licence shall be liable to cancellation at any time during the currency of period, in case of Government Prohibition Policy is introduced and the licence shall not be entitled to any compensation for loss, if any incurred on that account.
2. Bars will open not earlier than 11 a.m. and close not later than 11 p.m. on Weekdays/ Sunday/Holidays except the following days which will be observed as dry days: -
  - (i) Republic Day
  - (ii) Independence Day



- (iii) Gandhi Jayanti and
- (iv) The days of poll and preceding two days in all General Elections, By-elections to Lok Sabha, Municipal Board Elections and Panchayat Elections and the counting days of the above elections.
- (v) Any other day declared as dry day by the competent authority in public interest.

The timing shall be displayed prominently. On special occasions Bar may remain open for longer hours up to midnight subject to prior approval of the concerned Deputy Commissioner.

3. That the licensee shall procure his requirements of liquor from the local licensed liquor vendor i.e. M/s ANIIDCO Ltd.
4. That the new rate of licence fees as and when approved by the Government of India will be made applicable.
5. The licensee shall submit the details with location plan of the premises where bar is to be opened and sale of liquor shall be restricted only in the approved premises. The Bar premises need to be beyond the reach of children and general public.
6. Liquor shall be served in pegs. Sale voucher giving the full particulars of the customers shall invariably be issued. Proper entry of liquor sold shall be made in the consumption- cum-stock Register at the close of the Bar.
7. Brand of liquor with rates fixed for the purpose shall be displayed prominently in the bar premises. The rates to be so fixed for service of liquor in the Bar room may be fixed and approval of the same sought from the Excise department.
8. Any transaction of the nature of a gift or loan between the licensee and an Excise officer is prohibited.
9. The licensed premises for the Bar should have adequate space for free movement and should maintain good ambience and decorum. No floor show or dances should take place in such premises. However live music/orchestra/Band are allowed.
10. The licensee shall submit returns of the stock to the licencing authority on monthly basis as per the sales by 10<sup>th</sup> day of succeeding month along with the purchase receipts from the licenced retailer (ANIIDCO Ltd.).
11. The licensee shall furnish proof of filing his Income Tax Returns for the respective assessment year.



12. The licence shall be liable for cancellation in case the licensee violates any of the licence conditions or conditions mentioned in the Order No.4192 dated 18<sup>th</sup> November 2008 issued by the Administration in terms of the direction issued by the Hon'ble High Court in WP No.180 of 2007 or violation of any of the provisions of the A & N Islands Regulation III of 1876 and the Andaman Excise Rules,1934.

4.4 I. Registers and Records to be maintained by Licence Holder in Form 'C':-

- a) Import Permit Register
- b) Consignment arrival Register
- c) Payment of Licence Fee Register
- d) Payment of Excise duty Register
- e) Stock Register (Brand wise)
- f) Purchase and Sale Register

II. Registers and Records to be maintained by Licence Holder in Form 'B' :-

- a) Purchase & Sales Register
- b) Stock Register (Brand wise)

The licence Holder of Form 'C' shall submit the details of purchase and sale by 15<sup>th</sup> of the following month to the Dy. Commissioner (SA) regularly and licence Holder of Form 'B' shall submit the details to the respective licencing authority.

## 5. GRANT OF LICENCE

5.1 The applications for the grant of licence in Form 'C' & 'B' shall be subject to the acceptance by the specified competent authority. The competent authority may reject the application after assigning reason thereof within a period of eight weeks. The licensing authority or the Government shall be under no obligation to grant any licence for which application has been made.

5.2 An applicant for licence under Form 'C' whose application is accepted, immediately on being informed, shall complete the following formalities: -

- (a) Furnish a security of a sum of Rs.2,00,000/- (Rupees Two lakhs only), either in DD/RTGS/E-payment or in the form of FDR in the manner as may be prescribed by, and to the satisfaction of the licencing authority i.e. Administrator.

## 6. PREMISES OF RETAIL SHOPS AND BAR

6.1 The Retail shops and Bar shall be established at site/premises, which is commercial. The building shall be a pucca one and should have clearance from the Andaman Fire Service. The licenced premises shall be



- duly insured against fire and natural hazards. The licensee shall keep the premises clean and dry and shall comply with the orders issued by the respective licencing authority for removal of defects in the premises.
- 6.2 The number of Retail Shops and Bar will be allowed as per the Andaman Excise Rules, 1934.
- 6.3 The following information shall also be provided in regard to the licensed premises:
- (i) A plan of the premises, which the applicant proposes to use for the bar as well as of the entire building. The plan shall be submitted in duplicate showing the plan and elevation of the premises and the position of the various rooms, cupboards, racks and all important details connected with the premises. For Municipal area the building plan where the bar/restaurant is located should have been approved by the Municipal Council.
  - (ii) A "No Objection Certificate" from the landlord in regard to the use of the premises for the sale of Liquor/Beer if it is not owned by the applicant.
- 6.4 The applicant for Bar licence should submit an affidavit as proof for the following, namely:

That he possesses or has an arrangement for taking on rent a suitable premises for the licence and the said premises is located more than 50 meters away from any Medical Institutions, Educational Institutions, Religious Institutions, Women's Hostel, Orphanages and Tribal Hostels.

(Explanation – I: Medical Institution would mean District Hospitals, CHCs, PHCs, UHCs, Sub-Centres, Dispensaries etc. under the Directorate of Health Services as well as private medical institutions registered by the Directorate of Health Services, A&N Administration).

(Explanation – II: Educational Institution would mean Primary, Middle, Secondary, Senior Secondary Schools, Colleges and other institutions of higher learning recognized by the A&N Administration or Government of India).

(Explanation – III: Religious Institution would mean a religious place having a pucca structure with a covered area of more than 400 sq. feet. The said structure should not be on encroached land).

(Explanation – IV: The measurement of distance shall be from the mid point of the nearest entrance/door of the premises proposed for licence to mid point of the nearest entrance/entrance of the Medical Institution, Educational Institution, Religious Institutions, Women's Hospital, Orphanages and Tribal Hostels).



## 7. PAYMENTS

- 7.1 The licence holder in Form 'C' shall make all the payments to the Government in connection with the operation of his licence by bank draft/Bankers cheque drawn in the name of the Accounts Officer, Office of Deputy Commissioner (SA), Port Blair. Licence Holder in Form 'B' shall make payments to the Govt. in the name of the respective licencing authority.
- 7.2 The licensee shall pay interest @ 18 % p.a. from the date on which any payment recoverable from him under section 60 of the said Act becomes due to the Government until the date such payment is actually made or such amount is actually recovered, whatsoever, may be the reason for the lapse of time before payment is made or recovery is effected.
- 7.3 The licensee shall not be entitled to any interest or any other relief or compensation on account of any delay in the payment of any amount to him by the Government.

## 8. PROHIBITION

- 8.1 In pursuance of the Directive Principles of the State Policy relating to prohibition, contained in Article 47 of the Constitution of India, the Administrator may issue orders and directions from time to time and such orders and directions shall be binding on the licensee and no compensation shall be payable on that account.
- 8.2 The licensee shall abide by the following prohibition measures namely:
- (1) The licensee shall not display any neon or glow signs in and around the licensed premises to attract the customers.
  - (2) The licensee shall display a notice board prominently in front of the licensed premises declaring that "Drinking of Liquor is injurious to health".
  - (3) All persons employed by the form 'C' licensee in the licensed premises shall be required to possess identity cards issued under the signatures of the Deputy Commissioner (South Andaman) and the employees shall be required to produce the identity cards on demand by the Excise Officer or any officer not below the rank of Sub-Inspector.
  - (4) The licensee shall not keep nor distribute, sell or publish/have displayed any advertising material of its liquor products or



products having similar nomenclature which are directly or indirectly likely or intended to promote the sale or consumption of liquor by way of advertising in newspapers, hoardings, banners etc. Eco-friendly carry bags with advertisements/messages can, however, be supplied to the patrons subject to such advertisement/messages not exhorting people to take to drinking.

- (5) No manufacturer or licensee shall advertise its liquor products or any product having similar nomenclature of liquor product unless such advertisement conforms to the program code and advertisement code as laid down in the Cable Television Network (Regulation) Act, 1995 and Cable Television Network Rules, 1994.

**9. REGISTRATION OF BRANDS AND ELIGIBILITY OF BRANDS FOR SALE IN THE UNION TERRITORY OF A&N ISLANDS.**

- 9.1 All the brands of IMFL/FL/Beer Products for sale in the Union Territory of A & N Islands shall be registered with the Excise Department of the Administration.
- 9.2 The registration of brands shall be open through out the licensing period 2010-2013 on payment of the following fee, on an annual basis:
- (a) Rs.75,000/- (Rupees Seventy five thousand only) per brand of Whisky.
  - (b) Rs.50,000/- (Rupees Fifty thousand only) per brand of Beer.
  - (c) Rs.10,000/- (Rupees Ten thousand only) per brand of Brandy/ Gin/ Vodka/ Wine/Rum/FL.
  - (d) Rs.10,000/- (Rupees Ten thousand only) per brand of Ready to Drink liquor like Breezers with low alcohol content.
- 9.3 The registration and approval of the brands shall be subject to the brands fulfilling, besides all other conditions of the and the rules made there under, the following conditions: -
- a) It shall be a product of the manufacturing unit (Including a bottling unit) duly licensed by the concerned Government.
  - b) It shall not be manufactured from rectified spirit or country liquor i.e. it shall be made from malt or extra neutral alcohol.
  - c) Manufacturer/Distillery/Brewery/Winery has to give a certificate from any Government authorized laboratory or other reputed private laboratory or manufacturer's own laboratory regarding



quality of particular brand and that it fulfils the specifications laid down by the Bureau of Indian Standards.

- d) The Whisky brands shall be divided into four categories so far as the eligibility for registering various brands is concerned. These categories are as follows:-

#### CATEGORY I

Brands with retail selling price of below Rs.130/- in A&N Islands. These brands shall be allowed registration in A&N Islands only if the brands have sold a minimum of 50,000(Fifty Thousand) cases all over India, excluding the Union Territory of A&N Islands in any of the two preceding financial years i.e. 2007-2008 or 2008-2009 and so on and the brand must be registered in atleast 5 States/Union Territory in the country.

#### CATEGORY II

Brands with retail selling price between above Rs.130/- to 200/- in A&N Islands. These brands shall be allowed registration in the Union Territory of A&N Islands only if the brands have sold a minimum of 75,000(Seventy Five Thousand) cases all over India, including the Union Territory of A&N Islands in any of the two preceding financial years i.e. 2007-2008 or 2008-2009 and so on and the brand must be registered in atleast 5 States/Union Territory in the country.

#### CATEGORY III

Brands with retail selling price between above Rs.200/- to Rs.450/-. These brands shall be allowed registration in the Union Territory of A&N Islands only if the brands have sold a minimum of 50,000 (Fifty Thousand) cases all over India, including the Union Territory of A&N Islands in any of the two preceding financial years i.e. 2007-2008 or 2008-2009 and so on and the brand must be registered in atleast 5 States/Union Territory in the country.

#### CATEGORY IV

Brands with retail selling price between above Rs.450/- to Rs.1000/- These brands shall be allowed registration in the Union Territory of A&N Islands only if the brands have sold a minimum of 30,000 (Thirty Thousand) cases all over India, including the Union Territory of A&N Islands in any of the two preceding financial years i.e. 2007-2008 or 2008-2009 and so on and the brand must be registered in atleast 5 States/Union Territory in the country.



e) Gin/Rum/Vodka/Brandy and other liquor.

CATEGORY I

A brand with retail selling price below Rs.130/- in A&N Islands shall be registered only if it has sold 30,000 (Thirty Thousand) cases all over India, excluding the Union Territory of A&N Islands in any of the two preceding financial years i.e. 2007-2008 or 2008-2009 and so on. Further the brand must be in sale in atleast 5 States/Union Territory in the Country.

CATEGORY II

A brand with the retail selling price between above Rs.130/- to 250/-. These brands shall be registered only if it has sold 40,000 (Forty thousand) cases all over India, excluding the Union Territory of A&N Islands in any of the two preceding financial years i.e. 2007-2008 or 2008-2009 and so on. The brands shall also qualify for registration, if the above minimum requirement of cases sold is fulfilled any time during the financial year 2008-09 and the brand must be registered in atleast 5 States/Union Territory in the country.

CATEGORY III

For brands with the retail selling price above Rs.250/-. These brands shall be registered only if it has sold 40,000 (Forty thousand) cases all over India, excluding the Union Territory of A&N Islands in any of the two preceding financial years i.e. 2007-2008 or 2008-2009 and so on.

(f) BEER BRANDS

CATEGORY I

A brand with above 5 per cent alcoholic strength shall be registered only if it has sold 2,50,000/-(Two lakh fifty thousand) cases all over India, excluding the Union Territory of A&N Islands in any of the two preceding financial years i.e. 2007-2008 or 2008-2009 and so on and the brand must be registered in atleast 5 States/Union Territory in the country.

CATEGORY II

A brand with below 5 per cent alcoholic strength shall be registered only if it has sold 80,000 (Eighty thousand) cases all over India excluding A&N Islands, in any of the two preceding financial years i.e. 2007-2008 or 2008-2009 and so on and the brand must be registered in atleast 5 States/Union Territory in the country.



(g) Wine

The brand must be registered in atleast 5 States/Union Territory in the country.

(h) Ready to Drink (RTD)

A brand shall be registered only if it has sold 25,000/- (Twenty five thousand) cases all over India excluding the Union Territory of A & N Islands in any of the two preceding financial years i.e. 2007-2008 or 2009-2010 and the brand must be registered in atleast 5 States/Union Territory in the country.

(i) Bottle in Origin (FL/Wine/Beer)

A brand shall be registered only if it has furnished an authorization letter in original from the original Brand owner and Licence for Bonded Warehouse from Custom Authority.

The brands shall also qualify for registration, if the above minimum requirement of cases sold is fulfilled any time during the financial years 2009-2012 and the brand must be registered in atleast 5 States/Union Territory in the country.

The above eligibility conditions will apply to brands for future registration for the licensing year 2010-2013.

- 9.4 The brands already registered in Andaman and Nicobar Islands as per Excise Policy 2009-10 shall be renewed annually against payment of registration fee as mentioned in clause 9.2 provided there is no increase in the prices offered for the brands. In case of increase in price of existing brands, fresh brand registration will have to be obtained as per Excise Policy.

## 10. ELIGIBILITY FOR BRAND REGISTRATION

10.1 The applicant shall furnish an affidavit stating that the information furnished by them are correct and brand meets the terms and conditions of the Excise Policy.

10.2 Apart from the affidavits filled by an applicant for registration of label and brands, regarding sale figures, the applicant shall have to furnish along with the application a certificate from the excise authorities of the concerned State countersigned by an officer not below the rank of an Excise Officer as regards the sale figures and EDP. The



manufacturing unit and attorney/authorized signatory both will be responsible for providing any wrong information in this regard.

10.3 Manufacturer/Distillery/Brewery/Winery has to give a certificate from the Government authorized laboratory or other reputed private laboratory or manufacturer's own laboratory regarding quality of particular brand and that it fulfils the specifications laid down by the Bureau of Indian Standards.

10.4 (a) The manufacturer shall quote rate inclusive of all taxes, duties, levies, transportation, Insurance, packing etc. for delivery upto Chennai. The MRP shall be fixed based on the prices shall be approved by the Administrator from time to time and the present approved price structure is enclosed as Annexure-I.

However, the licensing authority may allow one time downward revision of price during the licensing year. If as a result of downward revision, the brand moves to a category with higher sales criteria, the revision shall not be allowed unless, the brand satisfies the higher sales criteria so prescribed.

(b) The price fixed shall be firm during the currency of the rate contract.

(c) The prices (FOB, Chennai) quoted should be rounded off to the nearest rupee.

(d) It will be mandatory to mention Retail Price on all the bottles of all sizes of all brands of IMFL/FL/Beer being supplied in the Union Territory of A&N Islands.

(e) The brand registration does not automatically guarantee any obligation on the part of the licensee in Form 'C' to place order in favour of Manufacturer/Distillery/Brewery/Winery.

10.5 The price structure determined for the year 2010-2013 shall be reviewed/revised under the Andaman Excise Rules, 1934 as amended from time to time in case of change in the statutory levies by other States/Union territories from where liquor is imported. As such it would be mandatory for the manufacturer to intimate any such change to the Secretary (Excise) at the earliest possible and in any case not later than seven days from the date of such change and failure to do so shall be deemed as breach of terms and conditions of the licence and also the differential amount due to any reduction in the duties levied, etc will be recovered from the date of such reduction in other states.



10.6 The manufacturer shall not sell any liquor not conforming to the specifications prescribed by the Deputy Commissioner or if he has not prescribed any specifications, to the specifications laid down by the Indian Standard Institute now known as Bureau of Indian Standards. The consignment of liquor should be free from sedimentation or foreign particle.

10.7 (a) All the liquor bottle shall bear the barcodes.

(b) The bar-codes shall be merged in the artwork of the main labels on bottles, monocartons and mother cartons.

10.8 The Administration will have right to restrict number of brands enlisted/registered based on the eligibility criteria mention in the policy, popularity of brands, pricing on any other criteria as the Administration may deem fit.

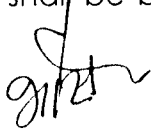
## 11. EXECUTION OF BOND

11.1 The licensee in form 'C' & 'B' shall be bound to furnish any information in this connection truly and faithfully within a reasonable time as may be prescribed by the Commissioner or the Collector or the District Excise Officer or the Excise Officer. Refusal to furnish the information, furnishing of false information or non-compliance of the orders will be regarded as the breach of the terms and conditions of the licence. Breach of terms and conditions may also result in non-issue of import/transport permits and suspension/cancellation of licence. Non compliance of the above instructions may lead to forfeiture of security deposit or equivalent amount as the case may be, chargeable from the defaulter.

11.2 The Deputy Commissioner reserves the right to cancel any licence in Form 'C' & 'B' after assigning reasons thereof on violation of the provisions contained under Andaman & Nicobar Regulations-1876 (Regulation III of 1876) and subsequent amendments made thereof to the said regulations and Andaman Excise Rules-1934 and subsequent amendments/ guidelines made thereof to the said rules.

The licence holder in Form 'C' & 'B' shall maintain the records for proper accounting of sale of IMFL/FL/Beer Products.

12. The A & N Administration reserves the right to amend the Excise Policy during the period of licence and the changes if any shall be binding on the licensee.

  
(SHAKTI SINHA)  
Principal Secretary (Excise)